

*Sub  
C2  
A1*

6. (Amended)

A tissue culture according to claim 5, cells or protoplasts of the tissue culture being from a tissue selected from the group consisting of leaves, pollen, embryos, roots, root tips, anthers, silks, flowers, kernels, ears, cobs, husks, and stalks.

*Sub  
C3*

8. (Amended)

The maize plant of claim 2 wherein said plant has been manipulated to be male sterile.

*A2*

9. (Amended)

A method for developing a maize plant in a maize plant breeding program using plant breeding techniques, which comprise employing a maize plant, or its parts, as a source of plant breeding material, comprising: obtaining the maize plant, or its parts, of claim 2 as a source of said breeding material.

*E*

10. (Amended)

The method of claim 9 wherein plant breeding techniques are selected from the group consisting of: recurrent selection, backcrossing, pedigree breeding, restriction fragment length polymorphism enhanced selection, genetic marker enhanced selection, and transformation.

*Sub  
C4*

11. (Amended)

A maize plant, or its parts, wherein at least one ancestor of said maize plant is the maize plant, or its parts, of claim 2, said maize plant capable of expressing a combination of at least two traits which are not significantly different from 31R88 when determined at a 5% significance level and when grown in the same environmental conditions, said traits selected from the group consisting of: a relative maturity of 119 based on the Comparative Relative Maturity Rating System for harvest moisture of grain, yield potential under low to moderate yield environments, stalk lodging resistance, root lodging resistance, staygreen, drought tolerance, resistance to Gray Leaf Spot, resistance to common rust, resistance to Southern Leaf Blight, brittle stalk resistance, and suited to the Southeast region of the United States.

*A3*

13. (Amended)

A method for developing a maize plant in a maize plant breeding program comprising: obtaining the maize plant, or its parts, of claim 12; and employing said plant or its parts as a source of breeding material using plant breeding techniques.

*sub C5*

14. (Amended)

The method of claim 13 wherein plant breeding techniques are selected from the group consisting of: recurrent selection, backcrossing, pedigree breeding, restriction fragment length polymorphism enhanced selection, genetic marker enhanced selection, and transformation.

*A4*

15. (Amended)

A maize plant, or its parts, wherein at least one ancestor of said maize plant is the maize plant, or its parts, of claim 12, said maize plant capable of expressing a combination of at least two traits which are not significantly different from 31R88 when determined at a 5% significance level and when grown in the same environmental conditions, said traits selected from the group consisting of: a relative maturity of 119 based on the Comparative Relative Maturity Rating System for harvest moisture of grain, yield potential under low to moderate yield environments, stalk lodging resistance, root lodging resistance, staygreen, drought tolerance, resistance to Gray Leaf Spot, resistance to common rust, resistance to Southern Leaf Blight, brittle stalk resistance, and suited to the Southeast region of the United States.

*A4*

17. (Amended)

A method for developing a maize plant in a maize plant breeding program comprising: obtaining the maize plant, or its parts, of claim 16 and employing said plant or its parts as a source of breeding material using plant breeding techniques.

*A4*

18. (Amended)

The method of claim 17 wherein plant breeding techniques are selected from the group consisting of: recurrent selection, backcrossing, pedigree breeding, restriction fragment

length polymorphism enhanced selection, genetic marker enhanced selection, and transformation. *E*

*A4*  
*Sub C4*

19. (Amended)

A maize plant, or its parts, wherein at least one ancestor of said maize plant is the maize plant, or its parts, of claim 16, said maize plant capable of expressing a combination of at least two traits which are not significantly different from 31R88 when determined at a 5% significance level and when grown in the same environmental conditions, said traits selected from the group consisting of: a relative maturity of 119 based on the Comparative Relative Maturity Rating System for harvest moisture of grain, yield potential under low to moderate yield environments, stalk lodging resistance, root lodging resistance, staygreen, drought tolerance, resistance to Gray Leaf Spot, resistance to common rust, resistance to Southern Leaf Blight, brittle stalk resistance, and suited to the Southeast region of the United States.

*A5*  
*Sub C4*

21. (Amended)

The maize plant of claim 20 wherein said plant has been manipulated to be male sterile.

22. (Amended)

A method for developing a maize plant in a maize plant breeding program comprising: obtaining the maize plant, or its parts, of claim 20; and employing said plant or its parts as a source of breeding material using plant breeding techniques.

23. (Amended)

The method of claim 22 wherein plant breeding techniques are selected from the group consisting of: recurrent selection, backcrossing, pedigree breeding, restriction fragment length polymorphism enhanced selection, genetic marker enhanced selection, and transformation.

*Sub C8*

24. (Amended)

A maize plant, or its parts, wherein at least one ancestor of said maize plant is the maize plant, or its parts, of claim 20, said maize plant capable of expressing a combination of at least two traits which are not significantly different from 31R88 when determined at a 5% significance level and when grown in the same environmental conditions, said traits selected from the group consisting of: a relative maturity of 119 based on the Comparative Relative Maturity Rating System for harvest moisture of grain, yield potential under low to moderate yield environments, stalk lodging resistance, root lodging resistance, staygreen, drought tolerance, resistance to Gray Leaf Spot, resistance to common rust, resistance to Southern Leaf Blight, brittle stalk resistance, and suited to the Southeast region of the United States.

*Sub C9*

26. (Amended)

A method for developing a maize plant in a maize plant breeding program comprising: obtaining the maize plant, or its parts, of claim 25; and employing said plant or its parts as a source of breeding material using plant breeding techniques.

*Sub C10*

27. (Amended)

The method of claim 26 wherein plant breeding techniques are selected from the group consisting of: recurrent selection, backcrossing, pedigree breeding, restriction fragment length polymorphism enhanced selection, genetic marker enhanced selection, and transformation.

*Sub C9*

28. (Amended)

A maize plant, or its parts, wherein at least one ancestor of said maize plant is the maize plant, or its parts, of claim 25, said maize plant capable of expressing a combination of at least two traits which are not significantly different from 31R88 when determined at a 5% significance level and when grown in the same environmental conditions, said traits selected from the group consisting of: a relative maturity of 119 based on the Comparative Relative Maturity Rating System for harvest moisture of grain, yield potential under low to moderate yield environments, stalk lodging resistance, root lodging resistance, staygreen, drought

*Sub  
Entire  
A*  
tolerance, resistance to Gray Leaf Spot, resistance to common rust, resistance to Southern Leaf Blight, brittle stalk resistance, and suited to the Southeast region of the United States.

*3/29/02  
DK  
A7*  
30. (Amended)

A method for developing a maize plant in a maize plant breeding program comprising: obtaining the maize plant, or its parts, of claim 29; and employing said plant or its parts as a source of breeding material using plant breeding techniques.

*31. (Amended)*

The method of claim 30 wherein plant breeding techniques are selected from the group consisting of: recurrent selection, backcrossing, pedigree breeding, restriction fragment length polymorphism enhanced selection, genetic marker enhanced selection, and transformation.

*Sub  
C10*  
32. (Amended)

A maize plant, or its parts, wherein at least one ancestor of said maize plant is the maize plant, or its parts, of claim 29, said maize plant capable of expressing a combination of at least two traits which are not significantly different from 31R88 when determined at a 5% significance level and when grown in the same environmental conditions, said traits selected from the group consisting of: a relative maturity of 119 based on the Comparative Relative Maturity Rating System for harvest moisture of grain, yield potential under low to moderate yield environments, stalk lodging resistance, root lodging resistance, staygreen, drought tolerance, resistance to Gray Leaf Spot, resistance to common rust, resistance to Southern Leaf Blight, brittle stalk resistance, and suited to the Southeast region of the United States.